

(INND Rev. 8/16)

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for prisoners to sue for civil rights violations. NEATLY print in ink (or type) your answers.]

JAN - 3 2017

MARVIN EDWARD LONG

[You are the PLAINTIFF, print your full name on this line.]

v. CITY OF ELKHART

[The DEFENDANT is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

At  
ROBERT N. TRGOVICH, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA

Case Number 3:16-cv-846

[For a new case in this court, leave blank.  
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

## PRISONER COMPLAINT

#	Defendant's Name and Job Title	Work Address
1	[Put the defendant named in the caption in this box.] CITY OF ELKHART	
2	[Put the names of any other defendants in these boxes.] JASON RAY	ELKHART Police WATERFALL DRIVE ELKHART IN 46516
3		

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and work address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 22. What is the name and address of your prison or jail? ELKHART County Jail3. Did the event you are suing about happen there? ☐ Yes. ☒ No, it happened at: \_\_\_\_\_IN A CORNFIELD ON THE CORNER OF CR #4 AND CR #154. On what date did this event occur? OCTOBER 20<sup>th</sup> 2016

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

**DO NOT:** Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how each defendant violated your rights.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

**DO NOT:** Include social security numbers, dates of birth, or the names of minors.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. ON the 20<sup>th</sup> OF October 2016 I was involved in a incident with Cassopolis Michigan Police. the vehicle i was in Crossed into ELKHART County. Indiana. the vehicle went into a cornfield around CR 4 And CR 15 in ELKHART County. I Exited the vehicle Along with another Person. About a hour later i was up by the Road CR 4 When i Seen OFFICER JASON RAY And his K9 along with 3 three other Police OFFICERS. RAYS K9 WAS on a leash. they Were about Fifty Feet away when the dog Saw me. I was laying on my Stomache with my Hands out in front of me. Jason RAY his K9 And the other OFFICERS Ran up to me Screaming dont move. I didnt move. When they got Close Enough to me the K9 Started his Attack biting me on the Right hand, Right Fore arm, Right upper ARM And Shoulder. All this time the OFFICER Was yelling the word "Hush" At the dog. I was Cuffed. Helped up And loaded in a Police CAR.

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## Claims and Facts (continued)

the officer who drove me to the hospital told me He had nothing to do with me being bitten And it definitely Should not have happened. I had no weapon and offered no Resistance during the whole incident involving ELKHART Police dept.

I was ARrested under CAUSE # 20D06-1610-F6-1228 For this incident. Then the charges For this incident were dropped two weeks later by the Prosecutors Office.

Im currently being held in the ELKHART Co Jail And the Staff here will not give me Copies or Access to law library Materials because my Suit is Against ELKHART Police Dept.

## 5. When did this event happen?

- ☒ Before I was confined.
- ☐ While I was confined awaiting trial.
- ☐ After I was convicted while confined serving the sentence.
- ☐ Other: \_\_\_\_\_

## 6. Have you ever sued anyone for this exact same event?

- ☒ No.
- ☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

## 7. Could you have used a prison grievance system to complain about this event?

- ☒ No, this event did not happen in a prison or jail.
- ☒ No, this event is not grievable at the prison or jail where it occurred.
- ☐ Yes, I filed a grievance and attached is a copy of the response from the final step.
- ☐ Yes, this event was grievable, but I did not file a grievance because \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## 8. If you win this case, what do you want the court to order the defendant(s) to do?

[NOTE: A case filed on this form will not overturn your conviction or change your release date.]

Compensatory Damages. And  
Punitive Damages.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Initial Each Statement]

- ☒ I will pre-pay the filing fee OR file a prisoner motion to proceed in forma pauperis.
- ☐ I will keep a copy of this complaint for my records.
- ☐ I will promptly notify the court of any change of address.
- ☐ I declare **under penalty of perjury** that the statements in this complaint are true.

I placed this complaint in the prison mail system on 12/27/2016 at 9:00 am/pm.

[Do not fill in this date and time until you give the complaint to prison officials to send to the court.]

Signature

Mune Edun Long

Prisoner Number

55835

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]